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10 Attorneys for Defendants THE BOARD  
OF TRUSTEES OF THE CALIFORNIA  
11 STATE UNIVERSITY (incorrectly sued  
as "CALIFORNIA STATE UNIVERSITY  
12 FULLERTON") and DAVID FORGUES

13  
14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**  
16

17 KATIE CAPPUCCIO,  
18 Plaintiff,  
19 v.

20 CALIFORNIA STATE UNIVERSITY,  
FULLERTON, and DAVID  
21 FORGUES, in his individual capacity  
and office capacity as Vice President of  
22 Human Resources,

23 Defendants.  
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Case No. 8:23-cv-02026-FWS-DFM

**JOINT STATEMENT OF THE  
CASE**

Judge: Hon. Fred W. Slaughter  
Crtrm.: Santa Ana, 10D  
Magistrate: Douglas F. McCormick  
Crtrm: Santa Ana, 6B

Crtrm.: July 17, 2025  
Time: 8:30 a.m.  
Crtrm.: 10D

Trial: August 19, 2025

1 Plaintiff KATIE CAPPUCCIO (“Ms. Cappuccio” or “Plaintiff”) and Defendant  
2 THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY  
3 (incorrectly sued as “CALIFORNIA STATE UNIVERSITY FULLERTON”) (“CSU”  
4 or “Defendant”) hereby submit the following Joint Statement of the Case:

5 The Plaintiff Katie Cappuccio was employed by CSU as a Police Officer  
6 assigned to the CSU Fullerton Police Department. In June 2021 CSU implemented a  
7 Covid-19 Testing Policy that required all unvaccinated employees to be tested for  
8 Covid-19 weekly beginning in August 2021. Ms. Cappuccio asserts that she could not  
9 conduct be tested for Covid-19 because her religion prevented her from taking  
10 medical tests, including Covid-19 tests, unless she was sick. Ms. Cappuccio asserts  
11 that CSU failed to accommodate her religion by refusing to offer religious  
12 exemptions, discuss possible accommodations, or grant her a religious exemption or  
13 accommodation to its Testing Policy. Ms. Cappuccio also asserts that CSU could have  
14 accommodated her religious beliefs without incurring substantial costs to its  
15 operations.

16 CSU denies Ms. Cappuccio’s accommodation claims. CSU asserts that a Public  
17 Health Order was in effect that required certain unvaccinated employees, like  
18 Ms. Cappuccio, to test weekly for Covid-19. CSU asserts that it was not required to  
19 grant Ms. Cappuccio an accommodation from Covid-19 testing that would have  
20 violated the Public Health Order. CSU also asserts that Ms. Cappuccio’s alleged  
21 religious beliefs are not sincere, and that Ms. Cappuccio did not timely tell CSU about  
22 any religious issue she had with testing. CSU alleges that it terminated  
23 Ms. Cappuccio’s employment when she refused to comply with the Public Health  
24 Order and ignored communications with her superior officer about it.

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1 Dated: June 26, 2025

FACTS LAW TRUTH JUSTICE, A.P.C.

2 By: /s/ Nicole C. Pearson

3 NICOLE C. PEARSON

4 Attorneys for Plaintiff Katie Cappuccio

5 Dated: June 26, 2025

QUARLES & BRADY LLP

7 By: /s/ Heather C. Davis

8 CORRIE J. KLEKOWSKI

9 HEATHER C. DAVIS

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**SIGNATURE CERTIFICATION**

Pursuant to L.R. 5-4.3.4(a)(2)(i), I hereby certify that the content of this document is acceptable to Nicole Pearson, counsel for Plaintiff Katie Cappuccio, and that my office has obtained Ms. Pearson's authorization to affix her electronic signature to this document.

Dated: June 26, 2025

QUARLES & BRADY LLP

By: /s/ Heather C. Davis

CORRIE J. KLEKOWSKI

HEATHER C. DAVIS

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